

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70059 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- MAHILA P.S. District- Vaishali

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TUNTUN RAI Son of Late Mahanand Rai Resident of Village - Dharampur
Ramrai, P.S.- Desari (Chandpura O.P.), District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-11-2019 This application, for grant of anticipatory bail,

arises out of Hajipur Mahila P.S. Case No. 28 of , disclosing

offences under Sections 363, 372, 376/34 of the Indian Penal

Code.

Allegation as per F.I.R. is that petitioner has taken the

wife of informant and later on she was recovered and her

statement under Section 164 Cr.P.C. was recorded, in which, she

disclosed that petitioner had handed over the victim women to

some other person for money, who committed rape on her.

Submission of learned counsel for the petitioner is

that the victim is married lady and has falsely implicated the

petitioner in this case and there is delay of one month in lodging

of F.I.R.

Learned counsel for the State opposed the prayer for



anticipatory bail of the petitioner on the ground that the victim lady has named the petitioner in her statement under Section 164 Cr.P.C.

Having heard both sides, considering the facts and circumstances of the case and the nature of accusation, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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